

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Edwin SOUTHERN : Examiner A. Marschel  
Serial No. 08/925,676 : Group Art Unit 1634  
Filed September 9, 1997 :  
ANALYSING POLYNUCLEOTIDE SEQUENCES



*Terminal  
Disclaimer  
2/3/99*

TERMINAL DISCLAIMER

Assistant Commissioner for Patents,  
Washington, D.C. 20231  
Sir:

Your petitioner, Oxford Gene Technology Ltd., whose principal place of business is 12 School Road, Kidlington, Oxford, OX5 2HB, United Kingdom, represents that it is the Assignee of the entire interest of the above-identified application Serial No. 08/925,676 filed on the 9th day of September, 1997 for an ANALYSING POLYNUCLEOTIDE SEQUENCES, by an Assignment recorded at Reel 8811, Frames 420-423 on November 18, 1997. Your petitioner hereby disclaims the terminal portion of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of commonly owned U.S. Patent No. 5,700,637, and hereby agrees that any patent so granted on said above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said U.S. Patent No. 5,700,637, this

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agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on said above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of said U.S. Patent No. 5,700,637, in the event that such last said issued patent(s) later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

In accordance with 37 CFR 3.73(b), the evidentiary materials have been reviewed and it is certified that, to the best of the Petitioner's knowledge and belief, title is in the Petitioner seeking to take action.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The undersigned representative verifies that he/she is authorized to take this action on behalf of the Petitioner.

By: Warren M. Cheek, Jr.  
Warren M. Cheek, Jr.  
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January 25, 1999